



D A C/H

PTO/SB/64 (11-03)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)Docket Number (Optional)
WLI 1012 PUS

First named inventor: David Morrow, et al.

Application No.: 09/837,826

Art Unit: 3711

Filed: April 18, 2001

Examiner:

Title: LACROSSE GOALIE STICK HEAD

RECEIVED

MAR 24 2004

OFFICE OF PETITIONS

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX: (703) 872-9306

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee –required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

 Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. Other than small entity - fee \$ 1,330.00 (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply):

- has been filed previously on _____.
 is enclosed herewith.

B. The issue fee of \$ _____.
 has been paid previously on _____.Adjustment date: 07/07/2004 AKELLEY
03/23/2004 CNGUYEN 00000129 500476 09837826

01 FC:1453

1330.00 LR

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete. Including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

03/23/2004 CNGUYEN 00000129 500476 09837826
1330.00 DA
01 FC:1453

3. Terminal disclaimer with disclaimer fee

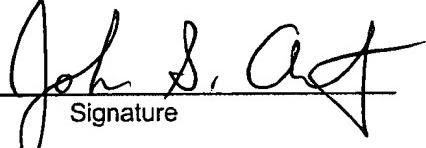
- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

March 18, 2004

Date

Telephone
Number: 248-223-9500
Signature

John S. Artz - 36,431

Typed or printed name

28333 Telegraph Road, Ste. 250

Address

Southfield, MI 48034

Address

Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: See attached Fee Transmittal relative to fees.

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
- transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 872-9306.

March 18, 2004

Date


Signature

Jo Anne Croskey

Type or printed name of person signing certificate

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: 7/6/04 2 Serial/Patent # 08/837,826

3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT							
<input type="checkbox"/>	Filing			\$							
<input type="checkbox"/>	Amendment			\$							
<input type="checkbox"/>	Extension of Time			\$							
<input type="checkbox"/>	Notice of Appeal/Appeal			\$							
<input checked="" type="checkbox"/>	Petition	10	3/22/04	\$ 1330.00							
<input type="checkbox"/>	Issue			\$							
<input type="checkbox"/>	Cert of Correction/Terminal Disc.			\$							
<input type="checkbox"/>	Maintenance			\$							
<input type="checkbox"/>	Assignment			\$							
<input type="checkbox"/>	Other			\$							
		7 TOTAL AMOUNT OF REFUND	\$ 1330.00								
		8 TO BE REFUNDED BY:									
10 REASON:		Treasury Check									
<input type="checkbox"/>	Overpayment	<input checked="" type="checkbox"/>	Credit Deposit A/C #:								
<input checked="" type="checkbox"/>	Duplicate Payment		9 <table border="1"><tr><td>5</td><td>0</td><td>--</td><td>0</td><td>4</td><td>7</td><td>6</td></tr></table>		5	0	--	0	4	7	6
5	0	--	0	4	7	6					
No Fee Due (Explanation):											
11 REFUND REQUESTED BY:											
TYPED/PRINTED NAME: <u>Paul Shanski</u>		TITLE: <u>Attorney</u>									
SIGNATURE: <u>Paul Shanski</u>		PHONE: <u>305-0011</u>									
OFFICE: <u>of L Petitions</u>											
***** THIS SPACE RESERVED FOR FINANCE USE ONLY *****											
APPROVED: <u>Oscar Kelle</u>		DATE: <u>7/7/04</u>									

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

Office of Finance
Refund Branch
Crystal Park One, Room 802B

EXHIBIT A

ENTERED CPI

The "Received" Stamp of the Patent
& Trademark Office imprinted hereon
acknowledges the filing of

11-27-02

Petition for Revival of an Application;

DESCRIPTION Petition fee \$640
OF PAPER:

NAME OF Morrow, et al.
APPLICANT:

NOV 22 2002

INT'L OR 09/837,826
SERIAL NO:

11-14-2002 JSA/jac WLI 1012 PUS
DATE: ATTY:



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

#10

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**Docket Number (Optional)
WLI 1012 PUS

First named inventor: Morrow, et al.

Group Art Unit: 3711

Application Number: 09/837,826

Examiner: **RECEIVED**

Filed: April 18, 2001

MAR 24 2004

Title: LACROSSE GOALIE STICK HEAD

OFFICE OF PETITIONSAttention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995, and for all design applications; and
- (4) Adequate showing of the cause of unavoidable delay

1. Petition fee

small entity - fee \$640.00 (37 CFR 1.17(l)). Applicant claims small entity status.
See 37 CFR 1.27.

other than small entity - fee \$ _____ (37 CFR 1.17(l)).

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in
the form of _____ (identify the type of reply):

has been filed previously on _____
 is enclosed herewith.

B. The issue fee of \$ _____.
 has been paid previously on _____.
 is enclosed herewith.

[Page 1 of 3]

Burden Hour Statement: This form is estimated to take 1.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity of \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

11-14-2002

Date

Telephone
Number: (248) 223-9500


Signature

John S. Artz - 36,431

Typed or printed name

28333 Telegraph Road, Ste. 250

Address

Southfield, MI 48034

Enclosures: Fee Payment

- Reply
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unavoidable delay
-

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

11-14-2002

Date



Signature

John S. Artz - 36,431

Typed or printed name of person signing certificate

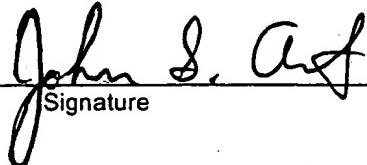
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

NOTE: The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

11-14-2002

Date



Signature

John S. Artz - 36,431

Typed or printed name

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply)

The Notice To File Missing Parts Of Nonprovisional Application dated May 15, 2002, was received in our office on September 30, 2002. It was inadvertently misplaced and a proper reply was not provided to the Patent Office within a timely manner. We, therefore, respectfully request revival of the abandoned patent application.

(Please attach additional sheets if additional space is necessary)

EXHIBIT B



UNITED STATES PATENT AND TRADEMARK OFFICE

APR - 7 2003

Commissioner for Patents
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

John S. Artz
Ste. 250
28333 Telegraph Road
Southfield MI 48304

Paper No. 7

In re Application of
David Morrow, Jessie Hubbard, and Salvatore
Locascio
Application No. 09/837,826
Filed: April 18, 2001
Attorney Docket No.: WLI 1012 PUS
Title: LACROSSE GOALIE STICK HEAD

COPY MAILED RECEIVED

APR 02 2003

MAR 24 2004

OFFICE OF PETITIONS OFFICE OF PETITIONS

DECISION ON PETITION

This is a decision on the petition under 37 CFR 1.137(a)¹, filed November 22, 2002, to revive the above-identified application. On January 27, 2003, the petitioner filed a petition under 37 CFR 1.137(b)² via facsimile transmission.

The facsimile transmission sheet requested that the petition under the unintentional standard be filed "in lieu of" the previously filed petition filed under the unavoidable standard. As such, the petition under 37 CFR 1.137(a) has been **DISMISSED AS MOOT**. The petition fee has not been charged to petitioner's Deposit Account.

The above-identified application became abandoned for failure to reply in a timely manner to the Notice of Missing Parts (notice), mailed May 15, 2002, which required the applicant to file an

¹ A grantable petition pursuant to 37 CFR 1.137(a) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(l);
- (3) A showing to the Commissioner that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition was unavoidable;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

² A grantable petition pursuant to 37 CFR 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

Application No. 09/837,826

executed oath or declaration, along with the fee associated with the late filing of an oath of declaration. The notice set a shortened statutory period for reply of two (2) months. No response was received, and no extensions of time under the provisions of 37 C.F.R. §1.136(a) were requested. Accordingly, the above-identified application became abandoned on July 16, 2002.

With the instant petition, petitioner has included the petition fee³, and has made the proper statement of unintentional delay. A statement of facts from the attorney of record was included with the previous petition.

The later petition lacks item (1) above.

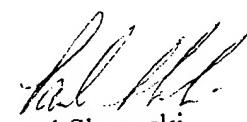
Regarding the first requirement, the requirement has not been satisfied because Petitioner did not submit the required reply to the notice. The required reply is the reply sufficient to have avoided abandonment, had such reply been timely filed⁴. In order for the application to be revived, petitioner must submit a reply which satisfies 37 C.F.R. §1.137(a)(1). The Notice indicated that the application had been filed without an executed oath or declaration, and indicated that one would need to be supplied, along with the required surcharge of \$65.00 for the late filing fee of an oath or declaration for a small entity. The petition was not accompanied by either of these requirements. Although the petition indicates that these were previously filed on November 14, 2002, neither of these requirements have been found after the completion of a review of the Patent Application Location Monitoring system and a search of the official file.

Therefore, this petition under 37 C.F.R. §1.137(b) is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)."

The application file will be retained in the Office of Petitions for two (2) months.

Telephone inquiries regarding *this decision* should be directed to the undersigned at (703) 305-0011.



Paul Shanoski
Attorney
Office of Petitions
United States Patent and Trademark Office

³ Petitioner has included the wrong amount for the petition fee. The deficient \$10 has been charged to his deposit account, as authorized in the Fee Transmittal sheet included upon filing.

⁴ See M.P.E.P. 711.03(c).

EXHIBIT C

***** -COMM. JOURNAL- ***** DATE JAN-27-2003 TIME 15:56 *** P.01

MODE = MEMORY TRANSMISSION

START=JAN-27 15:49

END=JAN-27 15:56

FILE NO.= 162

STN NO.	COM	ABBR NO.	STATION NAME/TEL.NO.	PAGES	DURATION
001	OK	8	17033086916	003/003	00:01'01"

-ARTZ & ARTZ P.C.

***** - **** 248 223 9522- *****

ARTZ & ARTZ P.C.
Law Offices

Intellectual Property and Technology Related Causes

FACSIMILE TRANSMITTAL SHEET

RECEIVED

MAR 24 2004

OFFICE OF PETITIONS

Fax: (248) 223-9522
Phone: (248) 223-9500

To: Paul Shanoski, Esq.
Company: USPTO
Fax No.: 703-308-6916

=====

From: John S. Artz
Date: January 27, 2003

Your File No.:

Our Ref. No.: WLI 1012 PUS

Comments: Please find attached the Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) in lieu of the 37 CFR 1.137(a) previously filed on November 14, 2002, Serial No. 09/837,826. Thank you.

Total Pages (incl. Cover sheet) 3

The information contained in this facsimile message may be confidential and/or legally privileged information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any copying, dissemination or distribution of confidential or privileged information is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and we will arrange for the return of the facsimile. Thank you.

If there are any problems during transmission, please call:
(248) 223-9500.

Jo Anne Croskey
(Operator)

28333 TELEGRAPH ROAD, SUITE 250, SOUTHFIELD, MICHIGAN 48034
TELEPHONE: (248) 223-9500 -- FACSIMILE: (248) 223-9522

ARTZ & ARTZ P.C.
Law Offices

Intellectual Property and Technology Related Causes

FACSIMILE TRANSMITTAL SHEET

**Fax: (248) 223-9522
Phone: (248) 223-9500**

To: Paul Shanoski, Esq.

Company: USPTO

Fax No.: 703-308-6916

RECEIVED

From: John S. Artz

MAR 24 2004

Date: January 27, 2003

OFFICE OF PETITIONS

Your File No.:

Our Ref. No.: WLI 1012 PUS

Comments: Please find attached the Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) in lieu of the 37 CFR 1.137(a) previously filed on November 14, 2002, Serial No. 09/837,826. Thank you.

Total Pages (incl. Cover sheet) 5

The information contained in this facsimile message may be confidential and/or legally privileged information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any copying, dissemination or distribution of confidential or privileged information is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and we will arrange for the return of the facsimile. Thank you.

*If there are any problems during transmission, please call:
(248) 223-9500.*

Jo Anne Croskey
(Operator)

28333 TELEGRAPH ROAD, SUITE 250, SOUTHFIELD, MICHIGAN 48034
TELEPHONE: (248) 223-9500 -- FACSIMILE: (248) 223-9522

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)****Docket Number (Optional)
WLI 1012 PUS**First named inventor: **Morrow, et al.**Application No.: **09/837,826**Art Unit: **3711**Filed: **April 18, 2001**

Examiner:

Title: **LACROSSE GOALIE STICK HEAD**

Attention: Office of Petitions
 Assistant Commissioner for Patents
 Box DAC
 Washington, D.C. 20231

**NOTE: If information or assistance is needed in completing this form, please contact Petitions
 Information at (703) 305-9282.**

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ 640.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee**A. The reply and/or fee to the above-noted Office action in**

the form of _____ (identify type of reply):

has been filed previously on 11-14-2002

is enclosed herewith.

B. The issue fee of \$_____.

has been paid previously on _____

is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

1/27/03

Date



Signature

Telephone
Number: (248) 223-9500

John S. Artz - 36,431

Typed or printed name

28333 Telegraph Road, Ste. 250

Address
Southfield, MI 48034

Enclosures: Fee Payment

- Reply
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unintentional delay
- Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

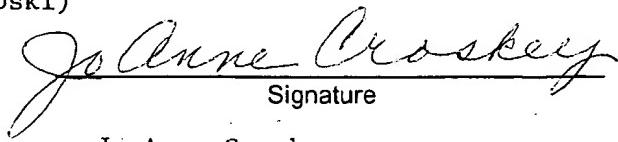
I hereby certify that this correspondence is being:

deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.

transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916. (Attn: Paul Shanoski)

1-27-2003

Date



Signature

Jo Anne Croskey

Type or printed name of person signing certificate

EXHIBIT D

***** -COMM. JO - ***** DATE APR-17-2004 TIME 16:36 *** P.01

MODE = MEMORY TRANSMISSION

START=APR-17 16:32 END=APR-17 16:36

FILE NO.= 022

STN NO.	COM	ABBR NO.	STATION NAME/TEL. NO.	PAGES	DURATION
001	OK	8	17033086916	013/013	00:03'42"

-ARTZ & ARTZ P.C.

ARTZ & ARTZ P.C.
Law Offices

Intellectual Property and Technology Related Causes

FACSIMILE TRANSMITTAL SHEET

Fax: (248) 223-9522
Phone: (248) 223-9500

RECEIVED

MAR 24 2004

OFFICE OF PETITIONS

To: Paul Shanoski, Esq.
Company: USPTO - Office of Petitions
Fax No.: 703-308-6916

=====
From: John S. Artz
Date: April 17, 2003

Your File No.:

Our Ref. No.: WLI 1012 PUS

Comments: Please see attached relative to the Renewed Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b), Serial No. 09/837,826. Thank you

Total Pages (incl. Cover sheet) 13

The information contained in this facsimile message may be confidential and/or legally privileged information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any copying, dissemination or distribution of confidential or privileged information is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and we will arrange for the return of the facsimile. Thank you.

If there are any problems during transmission, please call:
(248) 223-9500.

Jo Anne Croskey
(Operator)

2833 TELEGRAPH ROAD, SUITE 250, SOUTHFIELD, MICHIGAN 48034
TELEPHONE: (248) 223-9500 -- FACSIMILE: (248) 223-9522

ARTZ & ARTZ P.C.
Law Offices

Intellectual Property and Technology Related Causes

FACSIMILE TRANSMITTAL SHEET

**Fax: (248) 223-9522
Phone: (248) 223-9500**

To: Paul Shanoski, Esq.

RECEIVED

Company: USPTO - Office of Petitions

MAR 24 2004

Fax No.: 703-308-6916

OFFICE OF PETITIONS

From: John S. Artz

Date: April 17, 2003

Your File No.:

Our Ref. No.: WLI 1012 PUS

Comments: Please see attached relative to the Renewed Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b), Serial No. 09/837,826. Thank you

Total Pages (incl. Cover sheet) 13

The information contained in this facsimile message may be confidential and/or legally privileged information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any copying, dissemination or distribution of confidential or privileged information is strictly prohibited. If you have received this communication in error, please immediately notify us by telephone, and we will arrange for the return of the facsimile. Thank you.

*If there are any problems during transmission, please call:
(248) 223-9500.*

Jo Anne Croskey
(Operator)

28333 TELEGRAPH ROAD, SUITE 250, SOUTHFIELD, MICHIGAN 48034
TELEPHONE: (248) 223-9500 -- FACSIMILE: (248) 223-9522

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David Morrow, et al.

Serial No.: 09/837,826

Group Art Unit: 3711

Filed: April 18, 2001

For: LACROSSE GOALIE STICK HEAD

RECEIVED

Atty. Docket No.: WLI 1012 PUS

MAR 24 2004

I hereby certify that this paper is being transmitted via facsimile (703-308-6916) to the Office of Petitions, Paul Shanoski, with the United States Patent and Trademark Office, Office of Petitions, Washington, D.C. on:

April 17, 2003
Date of Deposit

Jo Anne Croskey

Signature



RENEWED PETITION UNDER 37 CFR 1.137(b)

Office of Petitions
Assistant Commissioner for Patents
BOX DAC
Washington, DC 20231

Dear Sir:

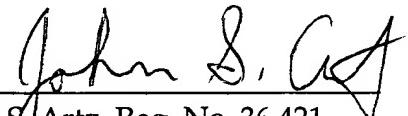
Pursuant to the telephone conversation with Attorney Paul Shanoski on April 15, 2002, regarding the Decision on Petition mailed April 2, 2003, relative to the Petition for Revival filed on January 27, 2003, via facsimile, under 37 CFR 1.137(b) in lieu of the 37 CFR 1.137(a) filed on November 14, 2002, please find attached the following items in order that the Petition for Revival may be granted:

Notice of Missing Parts containing the Executed Declaration and fee of \$65.00; and

Renewed Petition for Revival of An Application for Patent Abandoned Unintentionally Under 37 CFR 1.137(b) and fee of \$650.00

The Commissioner is hereby authorized to charge fees associated with this communication, or credit any overpayment to Deposit Account No. 50-0476.

Respectfully Submitted,
ARTZ & ARTZ P.C.



John S. Artz, Reg. No. 36,421
28333 Telegraph Rd., Ste. 250
Southfield, MI 48034
Phone: (248) 223-9500
Fax: (248) 223-9522

April 17, 2003

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL

for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 715.00)

Complete if Known

Application Number	09/837,826
Filing Date	April 18, 2001
First Named Inventor	David Morrow, et al.
Examiner Name	
Art Unit	3711
Attorney Docket No.	WLI 1012 PUS

RECEIVED

MAR 24 2004

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None Deposit Account:

Deposit Account Number	50-0476
Deposit Account Name	John A. Artz

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) during the pendency of this application
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee			
1002 330	2002 165	Design filing fee			
1003 520	2003 260	Plant filing fee			
1004 750	2004 375	Reissue filing fee			
1005 160	2005 80	Provisional filing fee			
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
			-20** =	X	=
			-3** =	X	=

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)		

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	65.00
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	650.00
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			

*Reduced by Basic Filing Fee Paid

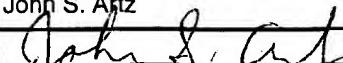
OFFICE OF PETITIONS

FEE CALCULATION (continued)

SUBTOTAL (3) (\$ 715.00)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	John S. Artz	Registration No. (Attorney/Agent)	34,431	Telephone	248-223-9500
Signature				Date	April 17, 2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) WLI 1012 PUS
First named inventor: DAVID MORROW, ET AL.	Application No.: 09/837,826	Art Unit: 3711
Filed: April 18, 2001	Examiner: RECEIVED	
Title: LACROSSE GOALIE STICK HEAD	MAR 24 2004	
<p>Attention: Office of Petitions Assistant Commissioner for Patents Box DAC Washington, D.C. 20231</p> <p>OFFICE OF PETITIONS</p>		
<p>NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.</p> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.</p> <p style="text-align: center;">APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</p> <p>NOTE: A grantable petition requires the following items:</p> <ul style="list-style-type: none"> (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional. <p>1. Petition fee <input checked="" type="checkbox"/> Small entity-fee \$ <u>650</u> (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input type="checkbox"/> Other than small entity - fee \$ _____ (37 CFR 1.17(m))</p> <p>2. Reply and/or fee</p> <p>A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply): <input type="checkbox"/> has been filed previously on _____ <input type="checkbox"/> is enclosed herewith.</p> <p>B. The issue fee of \$ _____ <input type="checkbox"/> has been paid previously on _____ <input type="checkbox"/> is enclosed herewith.</p>		

[Page 1 of 2]

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

April 17, 2003

Date

Telephone Number: (248) 223-9500



Signature

John S. Artz - 36,431

Typed or printed name

28333 Telegraph Road, Ste. 250

Address

Southfield, MI 48034

Enclosures: Fee Payment

- Reply
- Terminal Disclaimer Form
- Additional sheets containing statements establishing unintentional delay
- Other: See attached Fee Transmittal relative to fees.

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916. (Attn: Paul Shanoski)

April 17, 2003

Date



Signature

Jo Anne Croskey

Type or printed name of person signing certificate

Docket No. WLI 1012 PUS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): David Morrow, et al.

Serial Number: 09/837,826 Group Art Unit: 3711

Filed: April 18, 2001

Title: LACROSSE GOALIE STICK HEAD

RECEIVED

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF NONPROVISIONAL APPLICATION**

MAR 24 2004
OFFICE OF PETITIONS

Box Missing Parts
Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

In response to the Notice To File Missing Parts Of Nonprovisional Application dated May 15, 2002, Applicants are submitting herewith the required Declaration under 37 CFR 1.63.

Also enclosed is a copy of the Notice to File Missing Parts of Nonprovisional Application.

The Commissioner is hereby authorized to charge the fee of \$65.00 for late oath or declaration surcharge to Deposit Account No. 50-0476 in the name of Artz & Artz P.C.

Respectfully submitted,
ARTZ & ARTZ, P.C.

John S. Artz
John S. Artz, Reg. No. 36,431
28333 Telegraph Road, Ste. 250
Southfield, MI 48034
(248) 223-9500

CERTIFICATE OF MAILING

I hereby certify that the attached Response to Notice to Filing Missing Parts of Nonprovisional Application in the United States is being transmitted via facsimile (703-308-6916) to Attorney Paul Shanoski with the United States Patent and Trademark Office, Office of Petitions, Washington, D.C., on this 17th day of April 2003.


Jo Anne Croskey**RECEIVED**

MAR 24 2004

OFFICE OF PETITIONS

Please type a plus sign (+) inside this box → +

PTO/SB/01 (10-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

Declaration
Submitted
with Initial
Filing

OR

Declaration
Submitted after Initial
Filing (surcharge
(37 CFR 1.16 (e))
required)

Attorney Docket Number	WLI 1012 PUS
First Named Inventor	Morrow, et al
COMPLETE IF KNOWN	
Application Number	09 / 837,826
Filing Date	April 18, 2001
Group Art Unit	
Examiner Name	

RECEIVED

As a below named inventor, I hereby declare that:

MAR 24 2004

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if multiple names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

LACROSSE GOALIE STICK HEAD

(Title of the Invention)

the specification of which

is attached hereto

OR

was filed on (MM/DD/YYYY)

April 18, 2001

as United States Application Number or PCT International

(if applicable).

Application Number

09/837,826

and was amended on (MM/DD/YYYY)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached? YES	Certified Copy Attached? NO
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/197,720	April 18, 2000	<input type="checkbox"/>

[Page 1 of 2]

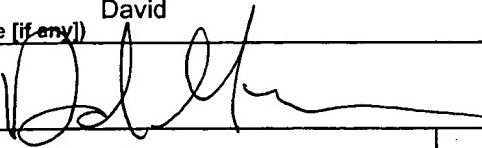
Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

DECLARATION — Utility or Design Patent Application

Direct all correspondence to: Customer Number
or Bar Code Label OR Correspondence address below

John S. Artz Name		
Artz & Artz, P.C. Address		
28333 Telegraph Road, Ste. 250 Address		
City Southfield	State MI	ZIP 48034
Country 	Telephone 248-223-9500	Fax 248-223-9522

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR :		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) David		Family Name or Surname Morrow	
Inventor's Signature 			Date 5/3/01
Residence: City Farmington Hills	State MI	U.S. Country	Citizenship U.S.
Mailing Address 28454 Wellington			
Mailing Address			
City Farmington Hills	State MI	ZIP 48334	Country U.S.
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any]) Jesse		Family Name or Surname Hubbard	
Inventor's Signature 			Date 5/3/01
Residence: City Troy	State MI	U.S. Country	Citizenship U.S.
Mailing Address 2718 Sommerset Blvd., #201			
Mailing Address			
City Troy	State MI	ZIP 48084	Country U.S.
<input type="checkbox"/> Additional inventors are being named on the _____ supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.			

Please type a plus sign (+) inside this box → +

PTO/SB/02A (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

DECLARATION

ADDITIONAL INVENTOR(S) Supplemental Sheet Page 3 of 3

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname		
Salvatore		LoCascio		
Inventor's Signature	<i>Salvatore LoCascio</i>		Date 5/15/01	
Residence: City	Bayport	State	NY	Country
70 S. Gillette Ave. Mailing Address				
Mailing Address				
City	Bayport	State	NY	ZIP 11705 Country U.S.
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname		
Inventor's Signature			Date	
Residence: City	State	Country	Citizenship	
Mailing Address				
Mailing Address				
City	State	ZIP	Country	
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any])		Family Name or Surname		
Inventor's Signature			Date	
Residence: City	State	Country	Citizenship	
Mailing Address				
Mailing Address				
City	State	ZIP	Country	

Burden Hour Statement: This form is estimated to take 21 minutes to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
 UNITED STATES PATENT AND TRADEMARK OFFICE
 WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/837,826	04/18/2001	David Morrow	WLI 1012 PUS

SEARCHED
SERIALIZED
MAY 3 0 2002

John S. Artz
 Ste. 250
 28333 Telegraph Road
 Southfield, MI 48304

CONFIRMATION NO. 9648

FORMALITIES LETTER



OC00000008116856

Date Mailed: 05/15/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

RECEIVED

Filing Date Granted

MAR 24 2004

Items Required To Avoid Abandonment:

OFFICE OF PETITIONS

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

Items Required To Avoid Processing Delays:

The item(s) indicated below are also required and should be submitted with any reply to this notice to avoid further processing delays.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- \$65 Late oath or declaration Surcharge.

*A copy of this notice **MUST** be returned with the reply.*
